

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

EDDIE ALEXANDER BANKS,

Plaintiff,

v.

Case No.: 2:19-cv-756-FtM-38NPM

THE PEOPLE OF THE STATE OF
FLORIDA, FLORIDA ATTORNEY
GENERAL OFFICE, BROWARD
COUNTY SHERIFF'S OFFICE, LEE
COUNTY SHERIFF'S OFFICE,
FLORIDA HIGHWAY PATROL,
TRAVELERS CASUALTY AND
SURETY COMPANY OF AMERICA,
17TH CIRCUIT COURT BROWARD
COUNTY, 20TH CIRCUIT COURT
LEE COUNTY, BB&T BANK,
SUNCOAST CREDIT UNION,
SUNTRUST BANK, BANK OF
AMERICA, SAM GALLOWAY FORD,
INC. and SHENANDOAH GENERAL
CONSTRUCTION COMPANY,

Defendants.

ORDER¹

Before the Court is United States Magistrate Judge Nicholas P. Mizell's Report and Recommendation ("R&R"). ([Doc. 12](#)). Judge Mizell recommends denying Plaintiff's Affidavit of Indigency ([Doc. 2](#)) and dismissing the Complaint ([Doc. 1](#)) without leave to amend. ([Doc. 12 at 4-5](#)). Plaintiff did not object, and the time to do so passed.

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

A district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1); see also *Williams v. Wainwright*, 681 F.2d 732, 732 (11th Cir. 1982). Without a specific objection, the judge has no obligation to review factual findings de novo. 28 U.S.C. § 636(b)(1); see also *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). But the district court reviews legal conclusions de novo, even in the absence of an objection. *Cooper-Houston v. S. Ry.*, 37 F.3d 603, 604 (11th Cir. 1994).


As Hemingway once said, there is no need “to write in another way what has been well written.” See *Ernest Hemingway, Nobel Prize Banquet Speech (Dec. 10, 1954)*. So after a careful, complete, and independent examination of the file, the Court accepts and adopts Judge Mizell’s well-reasoned R&R in full.

Accordingly, it is now

ORDERED:

1. The Report and Recommendation ([Doc. 12](#)) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
2. The Affidavit of Indigency ([Doc. 2](#)), construed as a Motion to proceed in Forma Pauperis, is **DENIED**.
3. The Bill of Complaint in Equity Presentment to Cure and Jurisdiction ([Doc. 1](#)) is **DISMISSED**.
4. The Clerk is **DIRECTED** to enter judgment, terminate any pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 8th day of January, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record